

Appl. No. 10/802,159
Amdt. Dated December 16, 2005
Reply to Office Action of 04/21/05

Docket No. CM05518H
Customer No. 22917

REMARKS/ARGUMENTS

Applicants have amended Claims 1, 11, 12, 14 and 21 and have cancelled Claim 10. Claims 1-8, 11-15 and 18-22 remain in this application. No new matter was added by these amendments. Applicants respectfully request reconsideration of this application in view of the above amendments and these remarks and arguments.

Claim Objections

The Examiner has objected to Claims 10-12 as being dependent upon a rejected base claim and states that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have cancelled Claim 10 and have amended Claim 1 to include the limitations of cancelled Claim 10, thereby, placing Claim 1 in a condition for allowance. Claims 2-8 and 11-13, which now depend from allowable Claim 1, are likewise in a condition for allowance. Applicants have further amended Claim 21 to include the limitations of cancelled Claim 10, thereby, also placing Claim 21 in a condition for allowance for the same reasons as Claim 1.

Claim Rejections

The Examiner: has rejected Claims 1-9, 18 and 21 under 35 USC 103(a) as being unpatentable over Jung, in view of Borella and Malki; has rejected Claim 13 under 35 USC 103(a) as being unpatentable over these three references and in further view of O'Neill; and has rejected Claim 20 under 35 USC 103(a) as being unpatentable over Jung in view of O'Neill. Applicants traverse these rejections. As stated above, Applicants have amended Claims 1 and 21 to include the limitations of allowable Claim 10, thereby, rendering Claims 1-8, 11-13 and 21 in a condition for allowance. Claim 9 was previously cancelled and its limitations added to Claim 1 making moot the rejection of Claim 9. Moreover, Applicants believe that Claims 18 and 20 are in a condition for allowance as they depend from an independent claim (Claim 14) that is in a condition for allowance as argued below in more detail.

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The Examiner has rejected Claims 14, 15 19 and 22 under 35 USC 102(b) as being anticipated by Jung. Applicants traverse these rejections. Applicants submit that Jung fails to disclose all of the limitations recited in Claims 14 and 22 and included by dependency in Claims 15 and 18-20. Applicants first note that they have amended Claim 14 to clarify that some limitations that distinguish Claim 14 from what is disclosed in Jung relate to a home agent and its related functionality.

Accordingly, Claim 14 and 22 recite a home agent "creating a registration entry for [a] mobile node, which includes recording [the] first and second care-of addresses. . . and tunneling at least one datagram to [the] mobile node using [the] second care-of address when [the] second care-of address is reachable, and tunneling [the] at least one datagram to the mobile node using [the] first care-of address when [the] second care-of address is unreachable." Applicants submit that Jung does not anticipate Claims 14 and 22 and any related dependent claims because Jung does not disclose the home agent deciding whether to use one care-of address over another care-of address based on the reachability of one of the care-of addresses, as is recited in Claims 14 and 22.

The Examiner cited paragraphs [0001] and [0053]-[0055] and Claims 2-3 of Jung as teaching the limitations in question. First, Applicants submit that the Examiner's citations are inappropriate as they do not address the home agent and its functionality. However, figure 10 and related paragraphs [0060]-[0062] and claims 4-5 do discuss the home agent and its functionality in some detail, and the above-cited limitations from Claims 14 and 22 are clearly not disclosed therein. For example, these citations suggest that the home agent somehow has access to two addresses that it may use to forward data from a correspondent node to a given mobile node. One address is for a GGSN acting as a foreign agent, and the other address is for a GGSN acting as gateway foreign agent. However, how the home agent decides which of the two addresses to use has nothing to do with the reachability of one of the addresses but upon whether a destination address associated with data from a correspondent node is identical to an address for a gateway foreign agent.

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More particularly Jung discloses, "upon receiving data destined for the mobile node from the correspondent node" the home agent instead looks at "whether a destination address of the data is identical to an address of the GGSN serving as the gateway foreign agent. If the destination address of the data is identical to an address of the GGSN serving as the gateway foreign agent, the home agent transmits the data . . . to the GGSN serving as the gateway foreign agent . . . However, if the destination address of the data is not identical to an address of the GGSN serving as the gateway foreign agent, the home agent transmits the data . . . to the GGSN serving as the foreign agent." (See Claims 4 and 5; boxes 1013, 1015 and 1017 of figure 10, and paragraph [0061], lines 11-28.) Thus, Jung does not anticipate Claims 14, 22 and the related dependent claims because Jung does not disclose the limitations recited in Claims 14 and 22 of the home agent deciding whether to use a given address based on whether that address is reachable.

For these reasons, Applicants believe that Claims 14, 15, 18-20 and 22 are in a condition for allowance.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

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Amdt. Dated December 18, 2005
Reply to Office Action of 04/21/05

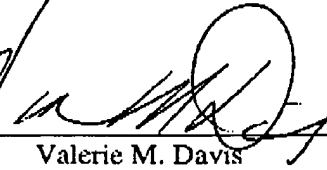
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Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.
Respectfully submitted,

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